

## No. 75.

**A Further Supplement**

To the act entitled "An act to incorporate the Mine Hill and Schuylkill Haven Railroad company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the better to enable the Mine Hill and Schuylkill Haven railroad company to carry into effect the objects of their incorporation, the capital stock of the said company may be increased, in such manner and at such times as the board of managers of the said company may determine, to an amount not exceeding in the whole eight thousand shares. Capital stock may be increased to 8000 shares.

SECTION 2. If the board of managers of the said company shall think it expedient to use locomotive engines and tenders on the said railroad, or on the lateral railroads thereof, constructed by the said company, for the conveyance of passengers, merchandise, or other commodities, or to permit the same to be done by others, that the said company shall have authority so to do, and to make such regulations concerning the same as may be necessary, with like penalties for the infraction thereof, and remedies for the recovery of the same, as are now or hereafter may be prescribed by law, in regard to the use and regulation of the motive power on the railroads of this commonwealth, or of any of the unincorporated companies thereof. Locomotive engines may be used under certain regulations.

SECTION 3. The said company shall have the right to charge for the use of the motive power provided by them, at a rate not exceeding one and a half cents per ton per mile for merchandise or other commodities, and not exceeding two cents per mile for every passenger, which may be conveyed by the motive power, employed on the said railroad as aforesaid, exclusive of the tolls now chargeable. Rate of charge for the use of motive power

SECTION 4. If after the said company shall have had in operation on the said road, locomotive engines as aforesaid, for the space of an entire season, a majority of the land owners, or their legal representatives, from whose lands more than one half of the whole amount of coal which shall have been transported over the said road during the season then last passed, shall have been taken, shall present a requisition, duly signed by them, to the managers of the said company, expressing their desire that the use of locomotive engines may be discontinued on the said road, it shall be the duty of the said company, after the termination of the The use of locomotive engines to be discontinued upon due requisition being made,

The use thereof may be resumed.  
 Proviso.

2d Proviso.

Single or double tracks may be laid down.

Annual meeting and election.

Relative to oil and coal.

Horse power and locomotives.

Repealing clause.

season then next approaching, to withdraw the said engines from the said road; and the powers given to the said company by the second and third sections of this act shall be then suspended, and so remain until an application shall be made to the managers by a majority of the land owners, or their legal representatives, as aforesaid, to resume the use of locomotive engines: *Provided*, That nothing herein contained shall prevent the said company from discontinuing the use of the said locomotive engines at any time, after giving three months public notice thereof: *And provided further*, That after and so long as the said company shall use locomotive engines on the said road, the same powers and privileges shall be given to any person or persons to use upon the said road locomotive engines, for the purposes aforesaid, subject to the same rules and regulations as that of the company's locomotive.

SECTION 5. In the construction of the lateral roads which the said company are authorized by law to make, or in the reconstruction of the road now in use, the board of managers of the said company shall have the right to lay down a single or a double track, as they shall think fit, and to extend the said lateral roads any distance not exceeding ten miles.

SECTION 6. The annual meetings of the stockholders of the said company shall hereafter be held on the second Monday of January, when an election of a president and ten managers of the said company shall be held, agreeably to the provisions of the fifth section of the act incorporating the said company, and the president and managers now in office, shall continue therein until the second Monday of January next.

SECTION 7. It shall be the duty of the said company, after locomotives shall have been placed upon the said road, to furnish oil for the cars on the said road while in use thereon, at their expense, and also to carry coal and other commodities on said road, so as to avoid the necessity of horse power on any portion thereof now made below the inclined plane near Mine Hill; and also, on the road on West Branch, to the town of Llewellyn, until they shall discontinue the use of locomotives, in the manner and upon the notice stipulated and provided for in the fourth section.

SECTION 8. So much of the act incorporating the said company, and of such other acts of assembly as are inconsistent with the provisions of this act, be and the same are hereby repealed.

NER MIDDLESWARTH,  
 Speaker of the House of Representatives.  
 THOMAS S. CUNNINGHAM,  
 Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and thirty-six. Jn.

JOS : RITNER.